

RECEIVED
CENTRAL FAX CENTERMAY 22 2006
17th Floor | Four Embarcadero Center | San Francisco, CA 94111-4106
415-434-9100 office | 415-434-3947 fax | www.sheppardmullin.comFACSIMILE COVER SHEET**** THIS FACSIMILE TRANSMISSION ALSO WILL BE MAILED ****Date: May 22, 2006File Number: 01ZS-105709Total number of pages:
(including 1-page cover sheet)5If all pages are not received, please call
Sheppard Mullin at 415-434-9100, Ext. 3261**TO:**United States Patent & Trademark Office
(Central Facsimile Number)**Facsimile No.**(571) 273-8300**Telephone No.**From: David Schnapf, Reg. No. 31,566
Re: USSN: 10/626,104Direct Dial: 415-774-3282**MESSAGE:****PLEASE SEE ATTACHED.**

NOTE: THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

W02-SF-5JW161405550.1

PAGE 1/5 * RCVD AT 5/22/2006 6:52:17 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-5/14 * DNIS:2738300 * CSID:415 434 3947 * DURATION (mm:ss):01:26

BEST AVAILABLE COPY

MAY. 22. 2006 3:59PM

SHEPPARD MULLIN

NO. 817

P. 2/5

RECEIVED
CENTRAL FAX CENTER

MAY 22 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/626,104
Applicant: Ohkubo, et al.
Filed: July 23, 2003
Title: RIDGE WAVEGUIDE SEMICONDUCTOR LASER DIODE
Examiner: Van Roy, Tod Thomas
Art Unit: 2828
Docket No.: 01ZS-105709
Date: May 22, 2006

RENEWED PETITION UNDER 37 CFR § 1.137(b)

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicant hereby submits a renewed petition for revival of the above-identified patent application. A copy of the original Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b) is enclosed, as is a copy of the Decision on Petition.

The Commissioner is hereby authorized to charge Deposit Account No. 501395 to cover the petition fee of \$1500.00.

Applicant confirms that the address for correspondence for this application is the Los Angeles address of Sheppard Mullin and so no change of address for this application will be filed.

Respectfully submitted,

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

By:


David Schnapf
Registration No. 31,566

Enclosure

Sheppard, Mullin, Richter & Hampton LLP
333 South Hope Street, 48th Floor
Los Angeles, California 90071
(213) 620-1780

W02-LA:LHP\70954098.1

-1-

PAGE 2/5 * RCVD AT 5/22/2006 6:52:17 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-5/14 * DNI:2738300 * CSID:415 434 3947 * DURATION (mm:ss):01:26⁰⁹

05/24/2006 EFLORES 00000026 501395 10626104
01 FC:1453 1500.00 DA

BEST AVAILABLE COPY

MAY. 22. 2006 3:59PM

SHEPPARD MULLIN



UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED NO. 817 P. 4/5
CENTRAL FAX CENTER

MAY 22 2006

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

SHEPPARD MULLIN RICHTER & HAMPTON LLP
333 SOUTH HOPE ST
48TH FLOOR
LOS ANGELES CA 90071-1448

In re Application of
Ohkubo, et al.
Application No. 10/626,104
Filed: July 23, 2003
Attorney Docket No. 01ZS-105709

COPY MAILED

APR 17 2006

OFFICE OF PETITIONS

DECISION ON
PETITION

This is in response to the petition, filed January 18, 2006, to
revive an unintentionally abandoned application under
37 CFR 1.137(b).

The petition is DISMISSED.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition Under 37 CFR 1.137(b)." This is not a final agency decision within the meaning of 5 USC 704.

The above-identified application became abandoned for failure to timely pay the issue fee as required by the Notice of Allowance mailed on October 14, 2005. This notice set a statutory period for reply of three months. No issue fee having been received, the above-identified application became abandoned on January 15, 2005. The mailing of this decision precedes the mailing of a Notice of Abandonment.

Application No. 10/626,104

Page 2

Receipt of the \$1,400 issue fee and the \$300 publication fee is acknowledged. However, petitioner's deposit account did not contain sufficient funds to charge the \$1,500 petition fee. The petition fee must be filed before the petition can be considered on the merits.

The file does not indicate a change of address has been submitted, although the address given on the petition differs from the address of record. If appropriate, a change of address should be filed in accordance with MPEP 601.03. A courtesy copy of this decision is being mailed to the address given on the petition; however, the Office will mail all future correspondence solely to the address of record.

Further correspondence concerning this application should be addressed as follows:

By mail: Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

By FAX: (571) 273-8300
Attn: Office of Petitions

Telephone inquiries related to this decision should be directed to the undersigned at (571) 272-3207.

Cliff Congo

Cliff Congo
Petitions Attorney
Office of Petitions

cc: Sheppard Mullin Richter & Hampton LLP
Four Embarcadero Center
17th Floor
San Francisco, CA 94111